

Planning and Environment Committee Report

1st Meeting of the Planning and Environment Committee
November 28, 2022

PRESENT: Councillors S. Lehman (Chair), S. Lewis, A. Hopkins, S. Franke, S. Hillier, Mayor J. Morgan

ALSO PRESENT: PRESENT: Councillors J. Pribil, S. Trosow and P. van Meerbergen; A. Job and H. Lysynski
REMOTE ATTENDANCE: Councillor C. Rahman; I. Abushehada, J. Adema, G. Belch, E. Biddanda Pavan, J. Bunn, M. Corby, M. Davenport, I. de Ceuster, K. Edwards, S. Filson, K. Gonyou, S. Grady, M. Greguol, M. Johnson, J. Kelemen, P. Kokkoros, J. MacKay, L. Maitland, K. Mason, P. Masse, S. Mathers, H. McNeely, L. McNiven, S. Meksula, B. O'Hagan, B. Page, N. Pasato, A. Patel, M. Pease, A. Riley, M. Schulthess, M. Vivian, B. Westlake-Power and P. Yeoman
The meeting was called to order at 4:02 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

1.2 Election of Vice-Chair

Moved by: S. Hillier

Seconded by: A. Hopkins

That Deputy Mayor Lewis BE APPOINTED Vice Chair for the term ending November 14, 2023.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

VOTING RECORD:

Election

Election of Vice Chair

S. Franke (40.00 %):A. Hopkins , S. Franke

S. Lewis (60.00 %):S. Lewis, S. Hillier, S. Lehman

Conflict (0): None

Majority Winner: S. Lewis

2. Consent

Moved by: S. Hillier

Seconded by: S. Franke

That Items 2.1 to 2.8 BE APPROVED.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

2.1 Building Division Monthly Report - August 2022

Moved by: S. Hillier

Seconded by: S. Franke

That the Building Division Monthly report for August, 2022 BE RECEIVED for information. (2022-A23)

Motion Passed

2.2 Building Division Monthly Report - September 2022

Moved by: S. Hillier

Seconded by: S. Franke

That the Building Division Monthly report for September, 2022 BE RECEIVED for information. (2022-A23)

Motion Passed

2.3 6th Report of the Community Advisory Committee on Planning

Moved by: S. Hillier

Seconded by: S. Franke

That the 6th Report of the Community Advisory Committee on Planning, from its meeting held on November 9, 2022 BE RECEIVED for information. (2022-A02)

Motion Passed

2.4 1865 Finley Crescent (P-9546)

Moved by: S. Hillier

Seconded by: S. Franke

That, on the recommendation of the Acting Director, Planning and Development, the following actions be taken with respect to the application by Kenmore Homes (London) Inc., to exempt Block 96, Plan 33M-733 from Part-Lot Control:

a) pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the proposed by-law appended to the staff report dated November 28, 2022 BE INTRODUCED at a future Council meeting, to exempt Block 96, Plan 33M-733 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*; it being noted that these lands are subject to a registered subdivision agreement and are zoned Residential R4 Special Provision (R4-4(1)) which permits street townhouse dwellings;

b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Block 96, Plan 33M-733 as noted in clause a) above:

i) the applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;

- ii) the applicant submit a draft reference plan to the Planning and Development for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;
- iii) the applicant submits to the Planning and Development a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
- iv) the applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;
- v) the applicant submit to the Deputy City Manager, Planning and Development for review and approval prior to the reference plan being deposited in the land registry office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;
- vi) the applicant shall enter into any amending subdivision agreement with the City, if necessary;
- vii) the applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;
- viii) the applicant shall obtain confirmation from the Planning and Development that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;
- ix) the applicant shall obtain approval from the Planning and Development of each reference plan to be registered prior to the reference plan being registered in the land registry office;
- x) the applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
- xi) the applicant shall obtain clearance from the Deputy City Manager, Planning and Development that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan;
- xii) the applicant shall provide a draft transfer of the easements to be registered on title;
- xiii) that, on notice from the applicant that a reference plan has been registered on a Block, and that Part Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question;
- xiv) in accordance with condition v), the applicant provide servicing drawings of municipal servicing to each of the blocks created within 1865 Finley Crescent to indicate that all municipal servicing can be provide to each property/block created without conflict;
- xv) as per condition xii) of the subdivision agreement, a reference plan (33R) is to be provided for the 5m storm servicing easement located at the rear of the property;

xvi) the existing subdivision agreement is to be amended as per condition (vi) of the subdivision agreement. The agreement is to include provisions for the 5m storm servicing easement located at the rear of the property; and,

xvii) a complete ECA application package is to be submitted to Planning & Development for the proposed storm sewers at the rear of the property. (2022-D25)

Motion Passed

2.5 2170 Buroak Drive (Formerly 751 Fanshawe Park Road) (39T-03505)

Moved by: S. Hillier

Seconded by: S. Franke

That, on the recommendation of the Acting Director, Planning and Development, with respect to the application by Vista Woods Estates Ltd., relating to the lands located at 2170 Buroak Drive (formerly 751 Fanshawe Park Road), the Approval Authority BE ADVISED that the Municipal Council supports issuing a three (3) year extension to Draft Plan Approval for the residential plan of subdivision SUBJECT TO the revised conditions contained in Appendix "A" (File No. 39T-03505) as appended to the staff report dated November 28, 2022. (2022-D04)

Motion Passed

2.6 Heritage Alteration Permit Application - 10 Moir Street - Blackfriars / Petersville Heritage Conservation District (HAP22-073-L)

Moved by: S. Hillier

Seconded by: S. Franke

That, on the recommendation of the Acting Director, Planning and Development, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking approval to pave a portion of the front yard for parking on the heritage designated property at 10 Moir Street, within the Blackfriars/Petersville Heritage Conservation District, BE REFUSED. (2022-R01)

Motion Passed

2.7 Heritage Alteration Permit Application - 123 Wilson Avenue - Blackfriars/Petersville Heritage Conservation District (HAP22-067-L)

Moved by: S. Hillier

Seconded by: S. Franke

That, on the recommendation of the Acting Director, Planning and Development, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking approval for alterations to the heritage designated property at 123 Wilson Avenue BE PERMITTED as submitted, with the following terms and conditions:

- a) the proposed four replacement windows have a simulated divided light to replicate the two-over-two fenestration of the former windows;
- b) the proposed replacement windows be painted wood or clad-wood windows;
- c) existing trim be used to replicate the painted wood 5" trim, including eared hood as well as windowsills;

- d) all exposed wood be painted;
- e) the Heritage Planner be circulated on the Building Permit drawings to verify compliance;
- f) the proposed alterations be completed within twelve (12) months of Municipal Council's decision on this Heritage Alteration Permit; and,
- g) the Heritage Alteration Permit be displayed in a location visible from the street until the work is underway. (2022-R01)

Motion Passed

2.8 Heritage Alteration Permit Application - 645 Lorne Avenue - Old East Heritage Conservation District (HAP22-075-L)

Moved by: S. Hillier
 Seconded by: S. Franke

That, on the recommendation of the Acting Director, Planning and Development, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking approval for alterations to the heritage designated property at 645 Lorne Avenue BE PERMITTED with the following terms and conditions:

- a) turned wooden spindles be used for the railing/guard of the porch, including the steps;
- b) wood lattice, in a square or diamond shape, be used for the porch skirt;
- c) all exposed wood be painted;
- d) use of paint colours from the Old East Heritage Conservation District palette be considered;
- e) the Heritage Planner be circulated on the Building Permit drawings to verify compliance;
- f) the proposed alterations be completed within twelve (12) months of Municipal Council's decision on this Heritage Alteration Permit; and,
- g) the Heritage Alteration Permit be displayed in a location visible from the street while the work is underway. (2022-R01)

Motion Passed

3. Scheduled Items

3.1 3195, 3207 White Oak Road and 2927 Petty Road (Z-9350 / 39CD-21505)

Moved by: S. Franke
 Seconded by: A. Hopkins

That, on the recommendation of the Acting Director, Planning and Development, the following actions be taken with respect to the application by Whiterock Village Inc., relating to the lands located at 3195, 3207 White Oak Road and 2927 Petty Road:

- a) the proposed by-law appended to the Planning and Environment Committee Added Agenda as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 13, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan for the City of London (The London Plan, 2016)), to change the zoning of the subject lands FROM a Urban Reserve UR4 and Holding Urban Reserve UR4 Special Provision h-94*UR4(11)) Zone TO a Residential R5 Special Provision (R5-7(**)) Zone to permit cluster housing in the form of townhouse dwellings. Special provisions to the Residential R5 (R5-7) Zone would permit cluster townhouse dwellings, and cluster stacked townhouse dwellings and would permit a reduced exterior side yard setback of 1.2 metres and a rear yard second story deck setback of 4.1 metres and a rear yard depth of 6.0 metres north interior side yard; and,

b) the Approval Authority BE ADVISED that the following issues were raised at the public participation meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the lands located at 3195, 3207 White Oak Road and 2927 Petty Road:

- i) requesting traffic access from Petty Road be moved to White Oak Road;
- ii) indicating that Petty Road is busy already and with increased traffic it will be unsafe for children; and,
- iii) advising that there will be increased noise and traffic;

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- N. Dyjach, Strik Baldinelli Moniz Ltd., on behalf of the owner; and,
- M. Dalawir;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended Zoning By-law Amendment and Draft Plan of Vacant Land Condominium are consistent with the Provincial Policy Statement (PPS), 2020, as it promotes efficient development and land use patterns; accommodates an appropriate range and mix of land uses, housing types, and densities to meet projected needs of current and future residents; and minimizes land consumption and servicing costs;
- the recommended zoning amendment conforms to the in-force policies of The London Plan, including but not limited to the Neighbourhoods Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies;
- the recommended zoning amendment provides appropriate regulations to control the use and intensity of the building and ensure a well-designed development with appropriate mitigation measures;
- the subject development block is of a size and shape suitable to accommodate the Draft Plan of Vacant Land Condominium; and,
- the proposed use, form, and intensity are considered appropriate and compatible with existing residential development in the surrounding neighbourhood. (2022-D14)

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: A. Hopkins

Seconded by: S. Lewis

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: A. Hopkins

Seconded by: S. Hillier

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3.2 2846-2870 Tokala Trail (Z-9523)

Moved by: S. Hillier

Seconded by: S. Franke

That, on the recommendation of the Acting Director, Planning and Development, based on the application by Foxwood Developments Inc., relating to the property located at 2846 and 2870 Tokala Trail, the proposed by-law appended to the staff report dated November 28, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 13, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan for the City of London (The London Plan, 2016)), to change the zoning of the subject property FROM a Holding Residential R5 / Neighbourhood Facility (h-h-71-h-100-h-108-R5-7 / NF1) Zone and Urban Reserve (UR3) Zone TO a Residential R5 Special Provision (R5-7(_)) Zone and a Holding Residential R5 Special Provision (h-18-R5-7(_)) Zone;

it being noted that the following site plan matters were raised during the application review process for consideration by the Site Plan Approval Authority:

i) easement for pedestrian traffic along the east or west property lines of the subject site to provide north-south connections;

ii) consideration should be given to consolidate the amenity spaces to create one large outdoor common amenity space for all units on site;

iii) no gates shall be permitted to the pathway to the north abutting the stormwater management pond that restrict access to the multi-trail pathway; and,

iv) provide pedestrian connections, as direct as possible, from Tokala Trail to the rear of the site to connect to the multi-trail pathway at the rear;

it being pointed out that the following individual made a verbal presentation at the public participation meeting held in conjunction with this matter:

- J. McGuffin, Monteith Brown Planning Consultants, on behalf of the applicant;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended Zoning By-law amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
- the recommended zoning conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, the Neighbourhoods Place Type, City Building and Design, Our Tools, and all other applicable policies, to facilitate a built form that contributes to achieving a compact, mixed-use City;
- the recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood; and,

- the recommended amendment facilitates the development of a site within the Built-Area Boundary with an appropriate form of infill development. (2022-D04)

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Hillier

Seconded by: A. Hopkins

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: A. Hopkins

Seconded by: S. Hillier

Motion to close the public participation meeting.

Yeas: (4): S. Lehman, A. Hopkins , S. Franke, and S. Hillier

Absent: (2): S. Lewis, and Mayor J. Morgan

Motion Passed (4 to 0)

3.3 870-922 Medway Park Drive (Z-9533)

Moved by: S. Lewis

Seconded by: S. Hillier

That, on the recommendation of the Acting Director, Planning and Development, the following actions be taken with respect to the application by Dillon Consulting Limited., relating to the property located at 870-922 Medway Park Drive:

a) the proposed by-law appended to the staff report dated November 28, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 13, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan for the City of London (The London Plan, 2016)), to change the zoning of the subject property FROM a Holding Restricted Office (h-17*RO2) Zone TO a Holding Residential R5 Special Provision (h-17*R5-7(_)) Zone;

b) the Site Plan Approval Authority BE REQUESTED to consider the following through the site plan process:

- i) units fronting along Medway Park Drive are to have front doors facing the street with driveways and garages at the rear of the site;
- ii) board-on-board fencing that meets the requirements of the Site Plan Control By-law; and,
- iii) the site be developed in general conformity with the layout provided;

c) pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice BE GIVEN in respect to the proposed

by-law as the change in the maximum front yard setback is minor in nature and a technical change, the concept site plan circulated in the Notice of Application and Notice of Public Meeting accurately reflect the site layout, no site changes were proposed for the maximum front yard setback;

it being pointed out that the following individual made a verbal presentation at the public participation meeting held in conjunction with this matter:

- M. Fletch, Dillon Consulting Limited;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended amendment is consistent with the Provincial Policy Statement, 2020;
- the recommended amendment conforms to The London Plan, including but not limited to the Key Directions and Neighbourhoods Place Type; and,
- the recommended amendment facilitates the development of a site within the Built-Area Boundary with an appropriate form of infill development. (2022-D04)

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Hillier

Seconded by: S. Franke

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: S. Hillier

Seconded by: S. Lewis

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3.4 338 Boler Road (Z-9510)

Moved by: A. Hopkins

Seconded by: S. Lewis

That, on the recommendation of the Acting Director, Planning and Development, the following actions be taken with respect to the application by Alma Village Inc., relating to the property located at 338 Boler Road:

- a) the proposed by-law appended to the staff report dated November 28,

2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 13, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan for the City of London (The London Plan, 2016)), to change the zoning of the subject property FROM a Residential R2 (R2-1) Zone TO a Residential R3 Special Provision (R3-1(_)) Zone;

b) the Site Plan Approval Authority BE REQUESTED to consider board-on-board fencing along the east and south property boundaries that exceed the standards of the Site Plan Control By-law and do not negatively impact any grading, on-site stormwater management or any existing landscaping through the site plan process;

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- R. Brown;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended amendment is consistent with the Provincial Policy Statement, 2020;
- the recommended amendment conforms to the policies of the 1989 Official Plan, including but not limited to the Low-Density Residential Designation policies;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions; and,
- the recommended amendment facilitates the development of a site within the Built-Area Boundary with an appropriate form of infill development. (2022-D04)

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Hillier

Seconded by: A. Hopkins

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: S. Hillier

Seconded by: S. Lewis

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3.5 6092 Pack Road (Z-9493)

Moved by: S. Hillier
Seconded by: S. Lewis

That, on the recommendation of the Acting Director, Planning and Development, the following actions be taken with respect to the application by Magnificent Homes and Royal Premier Homes, relating to the property located at 6092 Pack Road, the proposed attached, revised, by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on December 13, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan for the City of London (The London Plan, 2016)), to change the zoning of the subject property FROM an Urban Reserve (UR3) Zone TO a Holding Residential R6 Special Provision (h*R6-5(_)) Zone;

it being noted that the following site plan matters were raised during the application review process for consideration by the Site Plan Approval Authority:

- i) provide additional details for shared outdoor amenity space;
- ii) provide high quality landscaping with consideration to any existing significant mature trees on the site and along property boundaries;
- iii) further emphasize the heritage character through the on-site amenity area and greenspace;
- iv) limit the construction of new residential dwelling(s) to only one of the interior side yards adjacent to the existing single detached dwelling to allow sufficient space to accommodate an access driveway on the opposite interior side yard; and,
- v) the façade for new residential development abutting the existing single detached dwelling to have a first floor grade no higher than the existing dwelling first floor grade;

it being noted that the Planning and Environment Committee received the following communications with respect to these matters:

- the revised staff report; and,
- a project fact sheet;

it being pointed out that the following individual made a verbal presentation at the public participation meeting held in conjunction with this matter:

- M. Davis, siv-ik planning and design;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended amendment is consistent with the Provincial Policy Statement, 2020 as it encourages efficient development and land use patterns;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions and Neighbourhood Place Type, Our Strategy, our Tools, and other applicable London Plan policies;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan and the Southwest Area Secondary Plan, including but not limited to the Low and Medium Density Residential policies within the North Talbot Residential Neighbourhood;
- the recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood; and,
- the recommended amendment facilitates the retention of a heritage designated single detached dwelling. (2022-D14)

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins, S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Hillier
Seconded by: S. Lewis

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: S. Hillier
Seconded by: S. Lewis

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3.6 931-1225 Southdale Road East (Z-9544)

Moved by: S. Lewis
Seconded by: S. Hillier

That, on the recommendation of the Acting Director, Planning and Development, based on the application by London & Middlesex Community Housing, relating to the property located at 931-1225 Southdale Road East, the proposed by-law appended to the staff report dated November 28, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 13, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan for the City of London (The London Plan, 2016)), to change the zoning of the subject property FROM a Residential R5 (R5-5) and Compound Residential R5 and Daycare (R5-5*DC) Zone TO a Special Provision Residential R8 (R8-4(_)) Zone;

it being noted that the Planning and Environment Committee received the following communications with respect to these matters:

- the staff presentation; and,
- the community consultation presentation from M. Fadaei, MHBC Planning;

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- E. Theodore, MHBC, on behalf of London & Middlesex Community Housing;
- A. Chance;
- L. Sabria; and,
- J. Campanero;

it being further noted that the Municipal Council approves this application for the following reasons:

- the proposed amendment is consistent with the Provincial Policy Statement, 2020 by providing efficient and affordable residential infill;
- the proposed amendment conforms to the policies of The London Plan including the applicable City Design, Housing and Homelessness Prevention, and Neighbourhood Place Type policies; and;
- the proposed amendment assists London & Middlesex Community Housing in completing their part of the City's affordable housing development target. (2022-S11)

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: A. Hopkins

Seconded by: S. Hillier

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: S. Hillier

Seconded by: A. Hopkins

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3.7 608 Commissioners Road West (Z-9516)

Moved by: A. Hopkins

Seconded by: S. Hillier

That the application by Copia Developments, relating to the property located at 608 Commissioners Road West, BE REFERRED back to the Civic Administration to review the traffic patterns, the access points and the intensification for the proposed development;

it being noted that the Planning and Environment Committee received the staff presentation with respect to this matter;

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- H. Froussios, Zelinka Priamo Ltd., on behalf of Copia Developments; and,
- D. McLeod;
- J. Burrell;

- Resident;
- C. West;
- R. de Papp;
- N. Turudic;
- Resident; and,
- M. Mackey.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: A. Hopkins

Seconded by: S. Hillier

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: S. Hillier

Seconded by: A. Hopkins

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3.8 307 Sunningdale Road East (Z-9498)

Moved by: S. Hillier

Seconded by: S. Lewis

That, on the recommendation of the Acting Director, Planning and Development, the following actions be taken with respect to the application by Margrit Johnson, relating to the property located at 307 Sunningdale Road East:

a) the proposed, attached, revised, by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on December 13, 2022, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan for the City of London (The London Plan, 2016)), to change the zoning of the subject lands FROM a Residential R1 (R1-17) Zone, a Holding Residential R1 (h-2*R1-17) Zone and an Open Space (OS5) Zone TO a Residential R6 Special Provision (R6-3(_)) Zone and an Open Space (OS5) Zone;

b) the Site Plan Approval Authority BE REQUESTED to consider the following design issues for 307 Sunningdale Road East through the site plan review process:

- i) ensure the appropriate setbacks from the east and west property line as outlined in Appendix A to provide full protection to the boundary trees and critical root zones;
- ii) ensure that the proposed building/built form is oriented to both Skyline Avenue and Sunningdale Road East and establishes a pedestrian-oriented built edge with street oriented units;
- iii) ensure the extension of sidewalks to Sunningdale Road East along the private driveway;
- iv) ensure that no part of any required interior side yard shall be used for any purpose other than landscaped open space excluding swimming pools, but decks or patios may be permitted;
- v) ensure a north exterior yard setback of minimum 8.0 metres and maximum of 11.0 metres, and a north parking area setback of 11.2 metres;

it being noted that the Planning and Environment Committee received the following communications with respect to these matters:

- a memo from the Ecological Community Advisory Committee;
- a communication dated May 14, 2022, from A. Thompson;
- a communication dated November 15, 2022, from J.A. Medeiros; and,
- the staff presentation;

it being pointed out that the following individual made a verbal presentation at the public participation meeting held in conjunction with this matter:

- H. Surgenor, Monteith Brown Planning Consultants;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended amendments are consistent with the Provincial Policy Statement, 2020;
- the recommended amendment to Zoning By-law Z.-1 conforms to the Low Density Residential and Open Space policies of the 1989 Official Plan;
- the recommended amendment to Zoning By-law Z.-1 conforms to the in-force policies of The London Plan, including, but not limited to the Neighbourhoods Place Type, City Building and Design, Our Tools, and all other applicable policies in The London Plan; and,
- the recommended amendment facilitates the development of a site within the Built-Area Boundary with an appropriate form of infill development on a large size lot located at the periphery of a residential neighbourhood. (2022-D04)

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Hillier

Seconded by: S. Lewis

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: S. Hillier
Seconded by: A. Hopkins

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3.9 4452 Wellington Road South (OZ-9497)

Moved by: A. Hopkins
Seconded by: S. Lehman

That, on the recommendation of the Acting Director, Planning and Development, the following actions be taken with respect to the application by MHBC Planning on behalf of 2858637 Ontario Inc., relating to the property located at 4452 Wellington Road South:

a) the proposed by-law appended to the staff report dated November 28, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 13, 2022 to amend The London Plan to:

- i) change the designation of a portion of the subject lands FROM a Shopping Area Place Type TO a Light Industrial Place Type on Map 1 – Place Types; and,
- ii) amend section 1565_5 of The London Plan, List of Secondary Plans - Southwest Area Secondary Plan, by changing the designation of a portion of the subject lands FROM Commercial TO Industrial on Schedule 4 Southwest Area Land Use Plan, and Schedule 17 Wellington Rd/Hwy 401 Land Use Designations;

b) the proposed by-law appended to the staff report dated November 28, 2022 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on December 13, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan for the City of London (The London Plan, 2016)), to change the zoning FROM a Holding Associated Shopping Area Commercial (h-17*ASA1/ASA2/ASA6) Zone TO a Holding Light Industrial (h-17*LI6) Zone, and an Environmental Review (ER) Zone;

c) the Approval Authority BE REQUESTED to consider the following matters during the site plan process:

- lighting concerns, preference for lights facing downward;
- appropriate garbage and rest facilities to address the needs of the people using the facility;
- fencing; and,
- quality of the facility;

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- S. Allen, MHBC;
- D. Gillis;
- A. Tipping;
- G. Dowler; and,
- F. Connor;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended amendment is consistent with the Provincial Policy Statement, 2020;
 - the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, Industrial Place Type, Shopping Area Place Types, and Natural Heritage Features and Hazards;
 - the recommended amendment conforms to the policies of the Southwest Area Secondary Plan and the 1989 Official Plan;
 - the recommended amendment facilitates the development of a site within the Wellington Road/ Highway 401 Neighbourhood; and,
 - the recommended amendment will delineate a natural heritage feature and ensure the appropriate environmental studies are completed.
- (2022-D08)

Yeas: (4): S. Lehman, S. Lewis, A. Hopkins , and S. Franke

Nays: (1): S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (4 to 1)

Additional Votes:

Moved by: S. Hillier

Seconded by: S. Franke

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: S. Hillier

Seconded by: S. Franke

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3.10 952 Southdale Road West (OZ-9431)

Moved by: S. Lewis

Seconded by: S. Hillier

That the following actions be taken with respect to the application by 1739626 Ontario Limited, relating to the property located at 952 Southdale Road West:

a) the proposed by-law appended to the staff report dated November 28, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 13, 2022 to amend The London Plan to:

i) change the Place Type on a portion of the subject lands FROM the

Green Space Place Type TO the Neighbourhoods Place Type and FROM the Neighbourhoods Place Type TO the Green Space Place Type on Map 1 – Place Types; and,

ii) modify the Provincially Significant Wetland Feature on Map 5 – Natural Heritage;

b) the proposed, attached, revised by-law (Appendix "B") BE INTRODUCED at the Municipal Council meeting to be held on December 13, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan for the City of London (The London Plan, 2016)), to change the zoning of the subject property FROM an Urban Reserve (UR2) Zone TO a Holding Residential R8 Special Provision Zone (h*h-129*R8-4(_)) Zone, a Holding Residential R8 Special Provision Zone (h*R8-4(_)) Zone, a Holding Community Shopping Area Special Provision (h*h-129*CSA1(_)) Zone a Holding Community Shopping Area Special Provision (h*CSA1(_)) Zone, and an Open Space (OS5) Zone;

it being noted to ensure the orderly development of the lands the following items will be addressed prior to the removal of the "h" holding provision/through the site plan approval process;

- Transportation – construction of a median to restrict access to the residential portion of the site to rights in/rights out, and to include a one-foot reserve along the Colonel Talbot Road frontage (excluding the access points);
- ensure all reports (Final Environmental Impact Study (EIS), Final Hydrogeological Assessment and Water Balance Analysis) are fully completed and accepted by Staff, and that restoration and compensation works are all carried out to the City's satisfaction;
- final EIS, Final Hydrogeological Assessment and Water Balance Analysis, Servicing Report, Floodline Analysis and Geotechnical Report for the proposed retaining wall be prepared to the satisfaction of the Upper Thames River Conservation Authority (UTRCA);
- a Section 28 Permit from the UTRCA will be required prior to finalizing the development agreement;

it being noted that the Planning and Environment Committee received the staff presentation with respect to these matters:

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- S. Allen, MHBC;
- P. Mills;
- K. Lake;
- R. Delurenits;
- H. Froussios, Zelinka Priamo Ltd., on behalf of the property owner at the southeast corner of Colonel Talbot Road and Southdale; and,
- C. Hindemit;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended amendment is consistent with the Provincial Policy Statement, 2020;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, Neighbourhoods Place Type, Shopping Area Place Types, Specific Policy 1070C_ and Natural Heritage Features and Hazards; and,
- the recommended amendment will delineate a natural heritage feature and ensure the appropriate buffers are in place to protect the features and ensure appropriate compensation and mitigation will be implemented at site plan. (2022-D08)

Yeas: (4): S. Lehman, S. Lewis, S. Hillier, and Mayor J. Morgan

Nays: (2): A. Hopkins , and S. Franke

Motion Passed (4 to 2)

Additional Votes:

Moved by: A. Hopkins

Seconded by: S. Franke

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: S. Hillier

Seconded by: S. Franke

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

4. Items for Direction

4.1 Planning Application Process Changes Due to Bill 109, the More Homes For Everyone Act, 2022

Moved by: S. Lewis

Seconded by: S. Hillier

That the staff report dated November 28, 2022 entitled "Planning Application Process Changes due to *Bill 109, the More Homes for Everyone Act, 2022*", BE RECEIVED for information. (2022-S11)

Yeas: (6): S. Lehman, S. Lewis, A. Hopkins , S. Franke, S. Hillier, and Mayor J. Morgan

Motion Passed (6 to 0)

Additional Votes:

Moved by: S. Hillier

Seconded by: S. Lewis

That M. Wallace, Executive Director, London Development Institute, BE GRANTED delegation status with respect to the planning application process changes due to *Bill 109, the More Homes for Everyone Act, 2022*.

Yeas: (6): S. Lehman, S. Lewis, A. Hopkins , S. Franke, S. Hillier, and Mayor J. Morgan

Motion Passed (6 to 0)

5. Deferred Matters/Additional Business

5.1 (ADDED) Bill 23, More Homes Built Faster Act, 2022 - Mayors and Regional Chairs of Ontario

Moved by: A. Hopkins
Seconded by: S. Lewis

That the communication dated November 21, 2022 from K. Redman, Chair, Mayors and Regional Chairs of Ontario and Chair, Regional Municipality of Waterloo, with respect to *Bill 23, More Homes Built Faster Act, 2022*, BE RECEIVED for information.

Yeas: (6): S. Lehman, S. Lewis, A. Hopkins , S. Franke, S. Hillier, and Mayor J. Morgan

Motion Passed (6 to 0)

6. Adjournment

The meeting adjourned at 9:50 PM.